

US EPA ARCHIVE DOCUMENT

KY Agriculture Water Quality Act Highlights and Successes



Agriculture Water Quality Act Highlights

- Passed by 1994 General Assembly – K.R.S. 224.71-100 to 224.71-140
- Protect Surface & Groundwater Resources
- Agriculture and Silviculture Operations >10 acres
- Development of State AWQ Plan
- Approval 10/23/96
- 5 Yr. Implementation 10/2001



Agriculture Water Quality Act

Agriculture Water Quality Authority

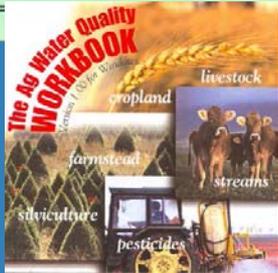
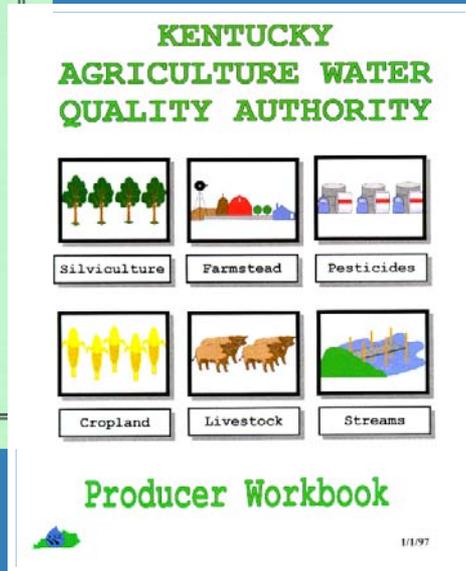
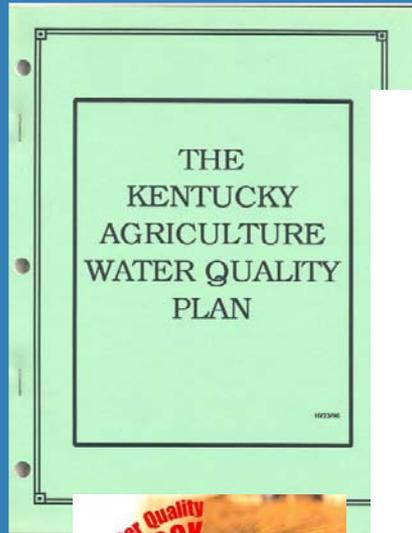
- **Established a (15) member Authority**
 - Represents agriculture and environmental communities
 - Appointed by the governor to four (4) year terms
 - Administratively attached to the EEC and assigned staff support from the cabinet
- **Assigned specific responsibilities including:**
 - Establishing committees
 - Developing by July 1, 1996 statewide agriculture plans to address agriculture activities
 - Reviewing water quality data and best management practices
 - Others

The Kentucky Agriculture Water Quality Authority (KRS 224.71-110)



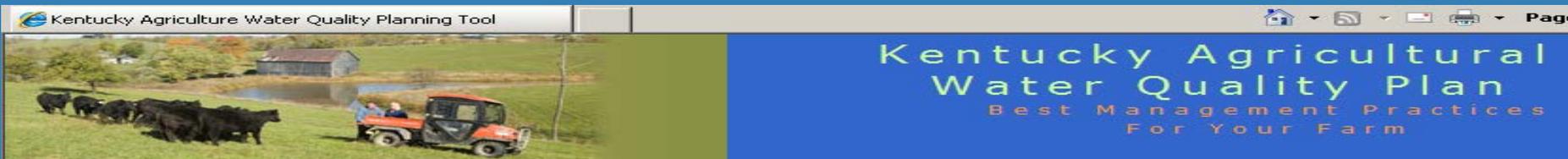
- Kentucky Association of Conservation Districts
- Kentucky Department of Agriculture
- University of Kentucky College of Agriculture Cooperative Extension Service
- Kentucky Farm Bureau Federation, Inc
- Division of Conservation, EEC
- Division of Forestry, EEC
- Kentucky Geological Survey; and
- Environmental organizations
- Three (3) members-at-large representing:
 - Agriculture Operations/Organizations
- Four (4) ex-officio members representing:
 - The Natural Resources Conservation Service
 - The Farm Services Agency
 - The Division of Water
 - The KY Department of Health Services, Human Resource Cabinet

Agriculture Water Quality Authority – Plan Development

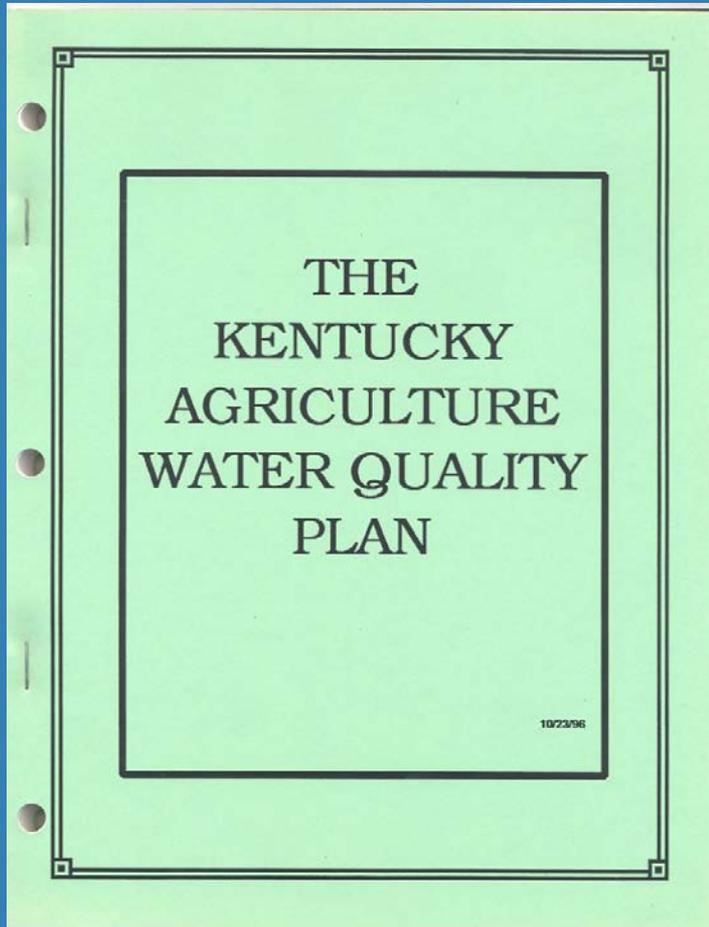


- * **Five Committees** were appointed by the authority to recommend BMPS to include in the State Water Quality Plan
 - * **Crops, livestock, farmsteads, silviculture and pesticide and fertilizer**
 - * Producers, agribusiness people, agency and technical advisors
 - * In 1995-1996 **twenty eight (28) different committee meetings, involving over 250 participants**, were held to review BMPs and make recommendations
 - * Other committees and workgroups were formed as needed: Streams and Other Waters committee, Producers Workbook committees, Bad Actor work group, and Large Livestock Operation Work Group

<http://warehouse.ca.uky.edu/AWQP2000/index.html>



Agriculture Water Quality Authority – Plan Development



- * **Compilation of (58)BMPs**
- * **Identified:**
 - * Approved BMPs
 - * Existing Regulatory requirements
 - * Technical and financial assistance
 - * Permitting guidance
 - * Definitions and other information
- * Provides regulatory guidance
- * Allows site specific flexibility
- * June 1996 completed the KY Agriculture Water Quality Plan and submitted to DOW
- * **October 23, 1996 – Division of Water approved the Ag. Water Quality Plan**
 - * Set into motion a requirement that all ag. and silviculture operations develop and fully implement an individual agriculture water quality plan for their farm
- * **October 23, 2001 Farm AWQ Plan Fully Implemented.**

Agriculture Water Quality Act

Corrective Measures - Protocol

- ◆ Complaint Investigation by DOW Inspector
- ◆ DOW Documents Water Quality Problem
- ◆ Violations of KY. Water Quality Regulations
- ◆ DOW Directs Producer to contact C.D. for Assistance in the Development and Implementation of a Corrective Measures Plan Utilizing BMPs/Copy to C.D
- ◆ DOW Sets Date for Response and Consequences
- ◆ C.D. Notifies Producer & Offers Assistance
- ◆ C.D. Assists Producer-Technical and Possible Financial Assistance to Develop and Implement Plan
- ◆ Producer Implements Corrective Measures Plan and Achieves Compliance

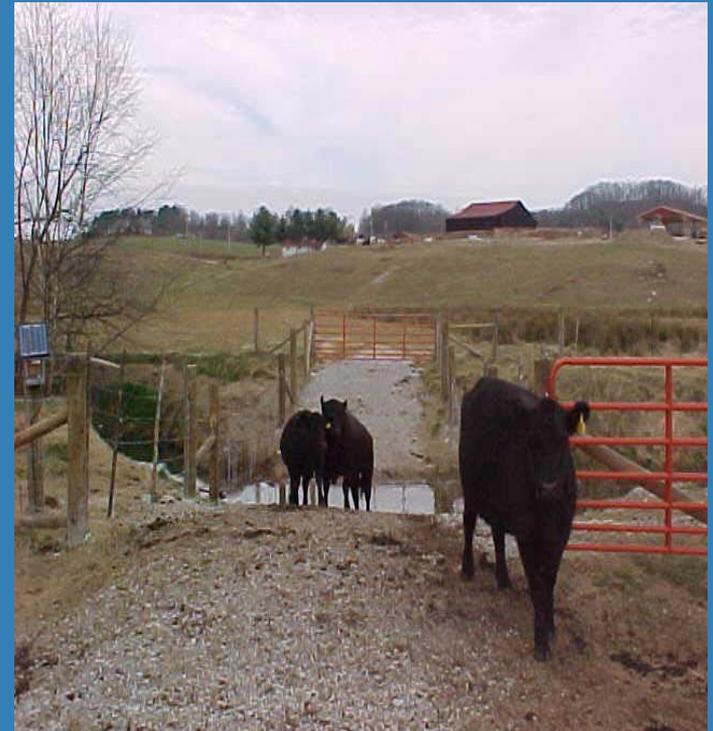
Agriculture Water Quality Act “Bad Actor”

- ◆ Producer Who Fails or Refuses to Respond to DOW Notices
- ◆ Producer Who Fails to Develop and Implement a Corrective Measures Plan
= “Bad Actor”



Agriculture Water Quality Act Continued Responsibilities

- **Educate and promote AWQA**
- **Technical assistance and financial assistance**
 - Develop new plans
 - Update existing plans
 - Assist with plan maintenance
 - Corrective measures
- **Tracking Certifications and/or identifying other ways to measure success**
- **Evaluate BMP Effectiveness**
- **Develop regional and/or priority protection plans**
- **Other Water Quality Issues**



Soil Erosion & Water Quality Cost Share Environmental Stewardship Programs

- 1995 Allocations \$650,000*
- 1996 Allocations \$1,150,000*
- 1997 Allocations \$1,150,000*
- 1998 Allocations \$2,650,000*
- 1999 Allocations \$2,650,000*
- 2000 Allocations \$11,150,000*
- 2001 Allocations \$11,150,000*
- 2002 Allocations \$9,550,000** (Less \$1.6 Million)
- 2003 Allocations \$9,000,000**
- 2004 Allocations \$9,550,000**
- 2005 Allocations \$9,550,000**
- 2006 Allocations \$9,550,000**
- 2007 Allocations \$9,550,000**
- 2008 Allocations \$9,550,000**
- 2009 Allocations \$9,275,000**
- 2010 Allocations \$9,300,000***
- **2011 Allocations \$4,350,000*****

**** Starting 2002 funding for continuous sign-ups for Green River CREP matching cost share in addition to statewide cost share program.**



***** Starting 2010 funding to match MRBI**

Funding sources: General Fund DOC; Dept. of Agriculture; & Phase I Tobacco Settlement Funds

* 5% withheld for Adm. Cost and 10% for corrective measures.

PRACTICES ELIGIBLE FOR FINANCIAL ASSISTANCE

KWP4 - Animal Waste Control Facilities

KWP5 - Ag. Impoundment Closure

KWP8 - On-Farm Animal Compost

KSW5 - Animal Waste Utilization

KSW10 - Cropland Soil Erosion Control

KSW6 - Forest Erosion Control

KSW2 - Heavy Use Area Protection

KSW7 - Strip Cropping System

KSW3 - Rotational Grazing System

KSW8 - Stream Crossings

KSP55 - Pesticide Storage

**KSW11 - Pasture & Hayland Erosion
Control - RENOVATION**

KSW1 - Sinkhole Protection

KSW9 - Environmental Grants

KWP7 - Riparian Area Protection

KSP53 - Integrated Crop Mgt.

KSL12 - Vegetative Filter Strips

KSW4 - Water Well Protection

KSW12 - Streambank Stabilization

KCREP 1 - Conservation Cover

KCREP 2 - Conservation Buffers

KCREP 3 - Livestock Water Sys.

KCREP 4 - Fence

KCREP 5 - Stream Crossing

MRBI 1 - Precision Nutrient Mgt.



Best Management Practices



Covered Feeding Area & Waste Storage



KWP4 – Poultry Litter Storage



KSW5 – Nutrient Management & Utilization



KWP4 – Liquid Waste Storage Lagoons

Soil Erosion & Water Quality Cost Share Program

2008-2009

- No. Of Applications 13,094
- No. Approved 2,640
- \$\$ Requested \$57.5 million
- \$\$ Approved \$10.6 million

2009-2010

- No. Of Applications 2,760
- No. Approved 1,032
- \$\$ Requested \$24.5 million
- \$\$ Approved \$8.5 million

2010-2011

- No. Of Applications 2,518
- No. Approved 1,011
- \$\$ Requested \$18.3 million
- \$\$ Approved \$8.9 million

2011-2012

- No. Of Applications 2,063
- No. Approved 269
- \$\$ Requested \$15.5 million
- \$\$ Approved \$1.975 million



Kentucky's Conservation Partnership

Keeping Kentucky's air and water clean,
protecting Kentucky's soil,
and keeping Kentucky's Agriculture productive...
from the Bluegrass and beyond.

